

Exhibit 4

Authorized by the United States District Court for the District of Massachusetts

**You May Be Able To Get Money Back, If You Made a Percentage
Co-Payment for Certain Drugs Under Medicare Part B**

(From January 1, 1991 to January 1, 2005)

1. What Is This Notice About?

You received this Notice because:

1. You received a letter stating that the Centers for Medicare and Medicaid Services (“CMS”) indentified that you were administered certain drugs that are included in this Proposed Class Action Settlement, and you returned the attached Claim Card.
2. You heard about this lawsuit and requested additional information.

The proposed Settlement of this class action lawsuit involves several drug manufacturers and approximately 200 drugs.

- This lawsuit is not about whether these drugs are safe or effective. This lawsuit is about the amount that you were charged for the drugs. It claims that consumers paid too much for the drugs.
- The drug manufacturers have agreed to pay \$125 million to settle the class action. Approximately \$21.8 million will be available to pay consumer claims including those of Medicare recipients.
- If you made a percentage co-payment for the covered drugs you can get money back. A percentage co-payment varies with the cost of the drug. A flat co-payment never varies; it’s always the same no matter how much the drug costs.
- If you had supplemental insurance and you paid no co-payment or you paid only flat co-payments, you cannot get a refund. If you had supplemental insurance but still paid percentage co-payments, you can get money back.

IMPORTANT: *This is not a bill or a collection notice. The Court is not suggesting, requesting or requiring that you pay your doctor or pharmacist now or that you are obligated to do so.*

2. What Is The Lawsuit About?

The Average Wholesale Price (“AWP”) is used to set reimbursement amounts that are paid by a) Medicare and its beneficiaries, b) private health insurers, and c) consumers making percentage co-payments under private health insurance plans. The lawsuit claims that Defendants reported false and inflated AWP’s for the drugs covered in this Settlement. The Defendants deny any wrongdoing, and the Settlement is not an admission of wrongdoing or an indication that any law was violated.

3. Who Are The Defendants?

The Defendants in the case are Abbott Laboratories, Amgen Inc., Aventis Pharmaceuticals Inc., Hoechst Marion Roussel, Baxter Healthcare Corp., Baxter International Inc., Bayer Corporation, Dey, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Immunex Corporation, Pharmacia Corporation, Pharmacia & Upjohn LLC (f/k/a Pharmacia & Upjohn, Inc.), Sicor, Inc., Gensia, Inc., Gensia Sicor Pharmaceuticals, Inc., Watson Pharmaceuticals, Inc., and ZLB Behring, L.L.C.

4. How Do I Know If I Am Included In The Settlement?

You are part of the Settlement if you made, or are obligated to make, a percentage co-payment:

- Under Medicare Part B for any of the covered drugs listed in Attachment A on pages X-X from January 1, 1991 through January 1, 2005.
- A spouse of a deceased Class Member who made such a co-payment or a legal representative of a deceased Class Member's estate may file a claim.

You are not a member of the Class if you made flat co-payments, if insurance paid all of your co-payment, or if you were never obligated to make a co-payment at all.

5. What Do I Need To Do To Get A Payment?

You do not need to do anything more in order to receive a payment. The Claims Administrator will calculate how much you are entitled to based on the drug purchase information provided by CMS.

However, included is a list of the drugs that CMS indicates you were administered along with the dates of administration. Please review the information on that list. If the list is accurate, you don't need to do anything more. If it is inaccurate for some reason, you can correct it, sign it and send it back to the Claims Administrator.

6. How Are Payments Determined?

The Claims Administrator will calculate your claim amount. It will be based on information obtained from (a) CMS and/or (b) other information you provide in your Claim Form. This information will show your total out-of-pocket co-payment obligations under Medicare Part B for all the covered drugs from January 1, 1991 to January 1, 2005. This time period is called the Class Period.

Your reimbursement will be calculated by adding three amounts:

- Co-payment obligations for Class A Drugs from December 1, 1997 through December 31, 2003 multiplied by three (3x);

- Co-payment obligations for Class A Drugs during the Class Period but outside of December 1, 1997 through December 31, 2003 (no multiplication factor); and
- Co-payment obligations for the other covered drugs called Class B Drugs during the entire Class Period (no multiplication factor).

The sum of these three figures will be your “Total Recognized Claim”. If there is enough money based on the number of claims received, your payment will be 100% of your Total Recognized Claim. If there is not enough money to pay all consumers 100% of their Total Recognized Claims, each consumer’s claim will be reduced proportionately.

You can obtain a complete copy of the Settlement Agreement by visiting www.AWPTrack2Settlement.com.

7. What If I Do Not Want To Be Included In The Settlement?

If you do not want to be in the Settlement and you want to keep the right to sue Defendants about the same claims on your own, you must take steps to get out of the lawsuit. This is called excluding yourself.

By excluding yourself, you keep the right to file your own lawsuit or join another lawsuit against Defendants about the claims in this lawsuit.

If you exclude yourself from the Class, you will not be able to file a claim for money and you will not be in the Settlement.

To exclude yourself from the Class, you must send a letter signed by you that includes all of the following:

- Your name, address, taxpayer identification number, telephone number and fax number (if any);
- The name and number of the lawsuit: *In re: Pharmaceutical Industry Average Wholesale Price Litigation*, No. 01-CV-12257-PBS, MDL No. 1456;
- If you have hired your own lawyer, the name, address, and telephone number of your lawyer; *and*
- A statement that you want to be excluded from the Medicare Part B Settlement Class.

Your exclusion letter must be mailed first class, **postmarked no later than Month Day, 2011**, to: AWP Track 2 Settlement Administrator, P.O. Box 951, Minneapolis, MN 55440-0951.

Please remember that you cannot exclude yourself by calling or by sending an email.

8. May I Object To, Or Comment On, The Settlement?

Yes. If you remain in the Settlement and have comments about, or disagree with, any aspect of the Settlement, you may express your views to the Court. You must do this in writing. Your written response should include:

- Your name, address, telephone number, a brief explanation of your reasons for objection, and
- The name and number of the lawsuit: *In re: Pharmaceutical Industry Average Wholesale Price Litigation*, No. 01-CV-12257-PBS, MDL No. 1456.
- In addition, your document must clearly state that it relates to the “Track 2 Settlement.”

The document **must** be signed to ensure the Court’s review. The response must be filed with the Court at the following address on or before **Month Day, 2011**: Clerk of Court, John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Suite 2300, Boston, Massachusetts 02210 and mailed to the three addresses listed below on or before **Month Day, 2011** at the following addresses:

Counsel for the Class	Counsel for the Defendants
Steve W. Berman Hagens Berman Sobol Shapiro LLP 1918 Eighth Ave, Suite 3300 Seattle, WA 98101	Steven F. Barley Hogan Lovells US LLP 100 International Drive, Suite 2000 Baltimore, MD 21202 James P. Muehlberger Shook, Hardy & Bacon, LLP 2555 Grand Boulevard Kansas City, MO 64108

If you object and the Court approves the Settlement, you will not be able to sue the Defendants about the claims in this case.

9. Do I Have A Lawyer Representing My Interests In This Case?

Yes. The Court has appointed the following law firms to represent you and other Settlement Class Members:

Hagens Berman Sobol Shapiro LLP 1918 Eighth Ave, Suite 3300 Seattle, WA 98101 www.hbsslaw.com	Spector Roseman Kodroff & Willis, P.C. 1818 Market Street, Suite 2500 Philadelphia, PA 19103 www.srkw-law.com
Wexler Wallace LLP 55 W. Monroe, Suite 3300 Chicago, IL 60603 www.wtwlaw.us	Hoffman & Edelson LLC 45 West Court Street Doylestown, PA 18901

These lawyers are called Class Counsel. You won't be charged personally for these lawyers. Class Counsel will ask the Court to award them a fee of up to 33 1/3% of the total settlement plus interest and litigation expenses. You don't need to hire your own lawyer, but if you want your own lawyer to speak for you or appear in Court, you must file a Notice of Appearance (see below). Hiring a lawyer to appear for you in the lawsuit will be at your own expense.

10. When Will The Court Decide On Whether To Grant Final Approval Of The Settlement?

The Court will hold a Hearing on Month Day, 2011 at x:00 x.m. to consider whether it is fair, reasonable and adequate. At the Hearing, the Court will also consider whether to approve the Settlement; the request for attorneys' fees and expenses; and any comments or objections. You are not required to attend, but may do so at your own expense.

If you want your own lawyer instead of Class Counsel to speak at the Final Approval Hearing, you must give the Court a paper that is called a "Notice of Appearance." The Notice of Appearance must include:

- Your name, address, telephone number, signature;
- The name, and number of the lawsuit (*In re: Pharmaceutical Industry Average Wholesale Price Litigation*, No. 01-CV-12257-PBS, MDL No. 1456); **and**
- State that you wish to enter an appearance at the Final Approval Hearing.

Your Notice of Appearance **must** be filed with the Court on or before **Month Day, 2011** and mailed to the three addresses listed in Question 8 by **Month Day, 2011**.

You cannot speak at the Hearing if you previously asked to be excluded from the Settlement Class.

11. Where Do I Obtain More Information?

More details and all other legal documents that have been filed with the Court in this lawsuit are available. They can be viewed and copied at any time during regular office hours at the Office of the Clerk of Court, John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Suite 2300, Boston, Massachusetts 02210.

In addition, if you have any questions about the lawsuit or this Notice, you may:

- Visit the AWP Track 2 Settlement website at www.AWPTrack2Settlement.com
- Call toll free 1-877-465-8136
- Write to: AWP Track 2 Settlement Administrator
P.O. Box 951
Minneapolis, MN 55440-0951

Dated: Month Day, 2011

BY ORDER OF THE COURT

CLASS MEMBERSHIP DRUG LIST
CLASS A DRUGS

Attachment A - Page 1 of 3 Attachment A - Page 2 of 3 Attachment A - Page 3 of 3

[need copy of chart]